

UNITED STATES DISTRICT COURT
for the
Eastern District of Tennessee

United States of America

v.

Tobias Pruitt

Case No. 1:11-mj-144

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 5, 2011 in the county of Hamilton in the
Eastern District of Tennessee, the defendant(s) violated:

Code Section
18 U.S.C. 922(g)

Offense Description
Felon in Possession of a Firearm

This criminal complaint is based on these facts:
see attached affidavit of ATF Special Agent Warren Smith

☒ Continued on the attached sheet.



Complainant's signature

Warren Smith, ATF Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 07/06/2011



Judge's signature

City and state: Chattanooga, Tennessee

Hon. William B. Carter, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF"), and have been so employed since 2007. I am currently assigned to the Chattanooga, Tennessee Field Office. I have been in law enforcement for ten years. Prior to coming to ATF, I was employed by United States Border Patrol for six years. I am a graduate of the Federal Law Enforcement Training Center's Criminal Investigators Training Program. I am a graduate of the ATF National Academy's New Professional Training Program. In the performance of my duties I have conducted investigations of violations of state and federal laws, including drug trafficking, firearms trafficking, explosives crimes, and other violent crimes. As a result of my training and experience as an ATF Special Agent, I am familiar with federal criminal laws relating to firearms, explosives, arson and illegal controlled substances. The information contained in this affidavit has been obtained by your affiant through personal knowledge and information related to your affiant by fellow law enforcement officers. This affidavit is submitted in support of a complaint for the arrest of TOBIAS PRUITT.

2. On July 4, 2011, Chattanooga Police Department ("CPD") officers assigned to the crime suppression unit were investigating a shoot-out that involved Tobias Pruitt as one of the shooters. CPD learned that Pruitt lived at 316 Chambliss Street, Chattanooga, through a confidential source who had provided reliable information in the past.

3. On July 5, 2011, CPD officers went to the residence at 316 Chambliss Street, Apartment A, with an arrest warrant for Tobias Pruitt for Aggravated Assault, resulting from the previous day's shoot out. While there, they saw Tobias Pruitt pull up to the residence in a car. The officers approached Pruitt as he got out of the car. When Pruitt saw the officers, he ran towards the house. Pruitt ran along the side of the residence, fired a handgun, and threw the firearm to the ground in the backyard. He continued to flee on foot. Pruitt was apprehended moments later by CPD officers. The firearm discarded by Pruitt in the backyard was recovered by law enforcement officers. The firearm recovered from the scene was a Springfield .45 caliber handgun. It was not manufactured in the state of Tennessee, therefore the firearm necessarily traveled in interstate or foreign commerce. After waiving *Miranda* warnings, Pruitt admitted that the gun found belonged to him.

4. During a search of Pruitt's residence pursuant to a warrant, officers found a box of ammunition which was the same caliber as the firearm recovered.

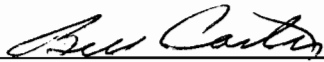
5. I am familiar with the criminal record of Tobias Pruitt. He has been convicted of two felony offenses for drug trafficking, one state offense and one federal.

6. Based on the foregoing, I believe that there is probable cause to find that Tobias Pruitt knowingly possessed a firearm and ammunition which had traveled in or affected interstate commerce and did so after having been convicted of an offense for which the term of imprisonment exceeded one year.



Warren Smith, Affiant
Special Agent - ATF

Sworn to and subscribed before me
this 6th day of July, 2011.



William B. Carter
United States Magistrate Judge